

REMARKS

Applicant is submitting the prior art requested by the examiner, along with additional prior art. All of this prior art is as summarized in the Background of the Invention section. There is a large body of prior art with regard to analyzing a patient, and reaching an evaluation in each of several scales.

What is inventive here, and what is not shown anywhere in the newly cited prior art, or the prior art already of record, is step 2 of claim 1; the dependent claims 2-5; the flowchart of claim 6 and its dependent claims 7-10; and the steps of claims 2-4 of claim 11, and its dependent claims 2-14.

McLeod relates to a system wherein, after an analysis, a patient is initially diagnosed. The patient is then provided with information based upon this initial diagnosis and asked whether this seems accurate. This is not at all what is required by the claims, and the examiner's argument that the claims are anticipated or obvious over McLeod is contested. As an example, independent claim 1 requires that an analyzed patient be grouped into one of several groups "based upon an evaluation of the rankings and the scales, and utilizing a hierarchy for the scales to perform the grouping." Nothing within McLeod remotely meets the limitation of grouping the patient into any one of several groups based upon any evaluation of the rankings and the scale, and there is simply no hierarchy at all in McLeod.

The subject matter of claim 2 of evaluating the rankings in a fashion such that "if a particular scale is associated with a particularly severe ranking, then the grouping is made based upon the severe ranking" is not shown by McLeod. The specific steps of claims 3, 4 and 5, are also not shown in any manner by McLeod.

Claim 6 requires a flowchart that evaluates scores in several scales. Several specific scales are identified as being part of the claimed flowchart. The flowchart applies these scales in a hierarchy. A patient is placed into any one of a plurality of groups while moving through the hierarchy of scales if a particular scale is associated with a ranking above a particular value. Again, nothing within McLeod provides any hierarchy. Applicant's hierarchy can be applied such as shown for example in Figure 4. McLeod does not disclose any hierarchy, and certainly not one including particular scales required by claim 6.

Claim 9 has additional specific information with regard to the family or home of a particular patient. McLeod does not meet this limitation.

Independent claim 11 requires utilizing a flowchart which asks whether a thinking scale is above a particular value. If the thinking scale is above the particular value, the patient is grouped into a thinking tier. If the thinking scale is below the value, then the method claim requires asking whether a substance abuse score is above a particular value. If the substance abuse score is above a particular value, the patient is grouped into a substance abuse grouping. If the substance abuse score is below a particular value, the method next asks whether a self-harmful score is above a particular value. If so, the patient is grouped into a self-harmful group.

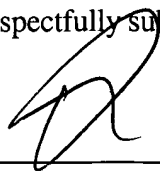
McLeod performs no such hierarchy, and asks no such questions. Simply, claim 11 is allowable.

Claim 12 adds to claim 11 by providing another step which would result in a patient being grouped into a self-harm group. Claim 13 includes additional steps of what would be looked at next.

New dependent claims 15-18 make clear that many of the steps in the independent claims 1 and 11 are performed by someone other than a patient, and in particular a healthcare provider. McLeod relies upon the patient himself to provide much of his analysis.

Simply, these claims are allowable for these additional reasons. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,



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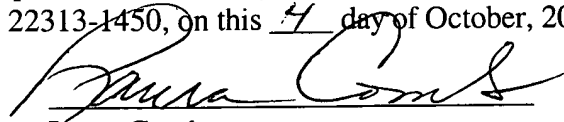
Dated: October 4, 2006



67,041-001

CERTIFICATE OF MAIL

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4 day of October, 2006.


Laura Combs